

REMARKS

In the Office Action dated June 10, 2010 and marked final, the Examiner rejects claims 1-9 and 23 under 35 U.S.C. §103(a). With this Amendment, Applicants have amended claims 1-3, 18 and 23. Claims 10-13 and 20-22 were allowed. After entry of this Amendment, claims 1-13 and 20-23 remain under examination in the Application. Reconsideration of the Application as amended is respectfully requested. Entry of the amendments after final is requested as the amendments do not add any further elements to the claims and only clarify the existing structure.

Applicants thank the Examiner for notice of the allowable subject matter. Applicants have also amended the title as recommended by the Examiner.

Claims 1-6, 8 and 23 are rejected under 35 U.S.C. §103(a) as being unpatentable over Baker (US 3,844,841) in view of Klink (GB 2176929A).

Claims 1, 18 and 23 have been amended to clarify that the shaft member 70 is configured with a through hole 70a to receive a bolt 51. This is supported in the specification and drawings. Claims 2 and 3 have been amended to clarify that the lock member 72 and the fastening member 71 are part of the shaft member 70 as shown in Fig. 4 and described in the specification.

Baker fails to teach or suggest a shaft member configured with a through hole to receive a bolt, the shaft member inserted into a through-hole provided in the cover and further through a through-hole provided in the cell unit and further through a through-hole provided in the housing, wherein the shaft member comprises a length that allows protrusion beyond the housing. Baker discloses pins 26 connected to tabs of the cells.

Klink also fails to teach or suggest a shaft member configured with a through hole to receive a bolt, the shaft member inserted into a through-hole provided in the cover and further through a through-hole provided in the cell unit and further through a through-hole provided in the housing, wherein the shaft member comprises a length that allows protrusion beyond the housing. Klink discloses terminal pillars that connect to the negative or positive electrode.

Accordingly, the combination fails to teach or suggest to one skilled in the art the shaft member as recited in claims 1, 18 and 23.

Regarding claims 2 and 3, the limitations of which are included in claims 18 and 23 (as means plus function), neither Baker nor Klink teaches or suggests that the shaft member comprises a lock member and a fastening member as recited in the claims.

For at least these reasons, the combination of Baker and Klink fail to render obvious claims 1 and 23 and the dependent claims. Withdrawn claim 18 includes all of the limitations of the structure of claims 1-3. Applicants request that claims 18 and 19 be rejoined and allowed. Applicants submit the claims are in condition for allowance, notice of which is requested.

Claim 7 is rejected under 35 U.S.C. §103(a) as being unpatentable over Baker (US 3,844,841) and Klink (GB 2176929A) as applied to claims 1-6, 8 and 23 above, and further in view of Yamaguchi et al. (US 5,639,257). Claim 7 depends from claim 1 to include all of the limitations therein. As argued above, the combination of Baker and Klink fails to render claim 1 obvious as the combination does not suggest to one skilled in the art a shaft member configured with a through hole to receive a bolt, the shaft member inserted into a through-hole provided in the cover and further through a through-hole provided in the cell unit and further through a through-hole provided in the housing, wherein the shaft member comprises a length that allows protrusion beyond the housing. Yamaguchi fails to cure the deficiencies of the combination for claim 1. Accordingly, at least due to its dependency, claim 7 is not rendered obvious and is in allowable form.

Claim 9 is rejected under 35 U.S.C. §103(a) as being unpatentable over Baker (US 3,844,841) and Klink (GB 2176929A) as applied to claims 1-6, 8 and 23 above, and further in view of Rueger (US 2,837,593). Claim 9 depends from claim 1 to include all of the limitations therein. As argued above, the combination of Baker and Klink fails to render claim 1 obvious as the combination does not suggest to one skilled in the art a shaft member configured with a

through hole to receive a bolt, the shaft member inserted into a through-hole provided in the cover and further through a through-hole provided in the cell unit and further through a through-hole provided in the housing, wherein the shaft member comprises a length that allows protrusion beyond the housing. Rueger fails to cure the deficiencies of the combination for claim 1. Accordingly, at least due to its dependency, claim 9 is not rendered obvious and is in allowable form.

It is submitted that this Amendment has antecedent basis in the Application as originally filed, including the specification, claims and drawings, and that this Amendment does not add any new subject matter to the application. Reconsideration of the Application as amended is requested. It is respectfully submitted that this Amendment places the Application in suitable condition for allowance; notice of which is requested.

If the Examiner feels that prosecution of the present Application can be expedited by way of an Examiner's amendment, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
YOUNG BASILE
HANLON & MACFARLANE P.C.



Francine B. Nesti, Attorney of Record
Registration No. 53376
(248) 649-3333
(248) 649-3338 Fax

3001 West Big Beaver Rd., Suite 624
Troy, Michigan 48084-3107